

DELEGATED

AGENDA NO.

REPORT TO PLANNING COMMITTEE

DATE: 15 November 2006

**REPORT OF THE DIRECTOR OF
DEVELOPMENT AND
NEIGHBOURHOOD SERVICES**

03/2769/EIS

**Haverton Hill Industrial Estate, Haverton Hill Road, Stockton on Tees
Reclamation of former shipyard site and provision of infrastructure including
roads, footpaths, cycleways, river edge revetment and structural landscaping.**

Expiry date 30th December 2003

03/2781/EIS

**Haverton Hill Industrial Estate, Haverton Hill Road, Stockton on Tees
Outline application for the redevelopment of former shipbuilding yard and
retention of existing uses for business, industry, warehousing, distribution,
(B1, B2, B8) with associated works**

Expiry date 25th February 2004

SUMMARY

The former Haverton Hill Shipyards is an industrial brownfield site located on Haverton Hill Road and with frontage onto the River Tees. It is presently used for a variety of industrial purposes. English Partnerships is seeking to regenerate the site and has submitted two linked applications supported by a formal Environment Impact Assessment, Masterplan, design guide and other documents and studies. Because of concerns raised by the Highways Agency regarding the potential traffic impact on the Trunk Road network of this and other developments in the area (Corus and the North Shore development) the applications have been held in abeyance for three years. These concerns have now been resolved with the agreement to improve the Portrack Interchange junction and the two applications can now go forward for determination.

The two applications are 03/2781/EIS which seeks outline approval to develop the site, retaining existing buildings but allowing new uses and development of the reclaimed land as plots for business, industry, warehousing, distribution (B1, B2, B8) with associated works and 03/2781/EIS which seeks to reclaim the site and provide building plots and new infrastructure including improvement to the access to the site, new internal roads and footpaths, cycleways, river edge treatment and structural landscaping.

In terms of planning policy the development accords with national, regional sub-regional and local plans. Strategic highway concerns have been resolved and it will have minimal impact on the amenities of neighbouring occupiers including residents of the Clarences. The development will bring about significant improvements to the appearance of the area with new substantial landscaping and planting. It will not give

rise to any health and safety concerns and will have no significant impact on ecology and air quality. Concerns over the Industrial Archaeology will be addressed by planning conditions, as will issues over drainage, contamination, noise and details of new building works.

The submitted planning applications offer the opportunity to regenerate this key site and provide increased employment opportunities. It will bring a contaminated site back into beneficial use as well as providing important environmental improvements to the area. Consequently, the development is fully supported and approval to both applications recommended.

RECOMMENDATIONS

It is recommended that:

Application 03/2769/EIS be approved subject to conditions covering the following matters:

- *Development carried out In accordance with the approved plans;*
- *Method for dealing with any contamination on the site*
- *Planting and landscape maintenance*
- *Noise controls and hours of working*
- *Archaeological preservation by record*
- *Off-site highway improvements*
- *Finished floor levels,*
- *Foul & surface water drainage,*
- *Settlement facility,*
- *Oil interceptor,*
- *Roof drainage,*
- *Bunded storage,*
- *Foul and contaminated drainage*
- *Removal of Japanese Knotweed*
- *Conservation of intertidal habitats*
- *Any other relevant matters*

Application 03/2781/EIS be approved subject to conditions covering the following matters:

- *Development carried out In accordance with the approved plans;*
- *Future approval for the siting, design, means of access, external appearance and landscaping of the site*
- *Method for dealing with any contamination on the site*
- *Noise controls and hours of working*
- *Archaeological preservation by record*
- *Off-site highway improvements*
- *Finished floor levels,*
- *Surface water drainage,*
- *Settlement facility,*
- *Oil interceptor,*
- *Foul and contaminated drainage*
- *Removal of Japanese Knotweed*
- *Conservation of intertidal habitats roof drainage,*
- *Bunded storage,*
- *Foul and contaminated drainage*

- **Any other relevant matters including meeting highway concerns**

The following development plan policies were relevant to the permission hereby granted:

Regional Planning Guidance RPG 1

Tees Valley Structure Plan policies SUS1, SUS2, STRAT1, EMP2, ENV21, ENV22, T5, T24, T25, T26

Stockton on Tees Local Plan policies: GP1, IN2, IN3, EN18, EN34, EN 35, EN 38 EN39

BACKGROUND

1. The former Haverton Hill Shipyards located Shipyards on Haverton Hill Road and with frontage onto the River Tees is an industrial brownfield site covering an area of 24.58 hectares (60.71 acres). It is presently used for a variety of purposes including heavy engineering, safety training, plastic injection moulding and the production of specialist inks. English Partnerships, as the principal landowner, is seeking to regenerate the site and to this end submitted in November 2003 two linked applications supported by a formal Environment Impact Assessment and other documents and studies. Because of concerns raised by the Highways Agency regarding the potential traffic impact on the Trunk Road network of this and other developments in the area (Corus and the North Shore development) the applications have been held in abeyance for three years. These concerns have now been resolved with the agreement to improve the Portrack Interchange junction and the two applications can now go forward for determination.

THE PROPOSAL

2. The two applications are:

Application 03/2781/EIS which seeks outline approval to develop the site, retaining existing buildings but allowing new uses and development of the reclaimed land as plots for business, industry, warehousing, distribution (B1, B2, B8) with associated works.

Application 03/2781/EIS which seeks to reclaim the site and provide building plots and new infrastructure including improvement to the access to the site, new internal roads and footpaths, cycleways. River edge treatment and structural landscaping is also proposed. The new planting is aimed at creating a visual and acoustic buffer as well as a high quality and attractive site frontage and green corridor. It will include mounding formed from spoil arising from ground preparation works.

3. The applications are supported by an Environmental Statement, a Planning Statement, a Transport Assessment and Transport Strategy, together with an indicative Masterplan and Design Guide.
4. Discussions had been held by the applicant with the existing on-site occupiers to establish how their future business needs and aspirations can be accommodated. The scheme put forward and set out in the Masterplan accompanying the application has arisen out of those discussions as well as with the Clarences Community partnership, Tees Valley partnership and the

Borough Council. The Masterplan illustrates the practical redevelopment of the site, meeting the allocations in the adopted local plan.

ENVIRONMENTAL IMPACT ASSESSMENT

5. The Environmental Impact Assessment (EIA) process has been undertaken by the applicant to establish the extent to which **potentially** significant adverse effects on the environment are likely to arise. The scope of the Haverton Hill Shipyards EIA has included the following areas of potentially significant environmental impact: geology, soils and hydrogeology, hydrology and water quality; noise, cultural heritage, ecology; landscape and visual amenity, air quality and traffic and access.
6. From this assessment it has been established that there is some contamination on the site that will need to be remediated, noise should not be a significant problems and any issues with individual new uses can be addressed at the detailed planning application stage. There is no evidence of protected species inhabiting the site and that the ecology of the area will be improved by the removal of spoil and rubbish from the site. There will be long distant views of the site but these will be mitigated by new boundary treatments including significant new planting, air quality studies indicate a potential rise in pollution levels as a result of increased traffic but these are considered to be negligible. Pollution from dust arising from the construction works will be mitigated by a requirement to for precautionary dust control measures. Traffic will increase arising from construction works but this will over a number of years and is not therefore expected to be significant. The impact from operational traffic has been assessed in conjunction with a study of local road junctions as well as the need for sustainable transport measures including access for buses, new walkways and cycleways. It is proposed to carry out various mitigation measures as part of the development process. These measures include improvements to a number of local road junctions.

MASTERPLAN

7. A comprehensive Masterplan to indicate how the site can be developed has been prepared by English Partnership's Planning Consultant. The Masterplan illustrates the practical redevelopment of the site and shows vacant plots which are to be created by the site's remediation for future use for B1 and B8 uses with potentially a small element of B1 business uses near the principal access point. The plot shapes are only indicative and may change as individual development proposals emerge.
8. Other elements of the Masterplan are a redesigned second access onto Haverton Hill road, a re-arrangement of the existing internal loop road, including to allow use for abnormal loads, improvements to the river frontage to allow goods to be loaded and unloaded via the river including retention of the existing deep water basin, substantial planting to the northern and eastern boundaries of the site to provide not only a visual and acoustic buffer to reduce impacts but also provide a high quality and attractive frontage and wildlife corridor. Mounding from spoil arising from the development will be provided as part of this scheme. A cycleway through this area will also be provided. Planting along the river frontage will also be provided. The main shed on the site will refurbished and land adjacent to it will be retained for potential large scale (possibly marine related) manufacturing/fabrication and assembly.

DESIGN GUIDE

9. The application is also supported by a design guide, prepared to provide an urban design context to the redevelopment of the site and is intended to be the guidelines against which subsequent planning applications are determined.
10. It provides guidance on movement and circulation including seeking to establish gateway elements to the site as well as providing advice on parking and servicing arrangements. Site layout and building design concerns are addressed including the need for the use of sustainable building design practices. Part of the guidance addresses scale and massing, skyline issues and materials. Also considered are landscaping concerns and boundary treatments.

PUBLICITY

11. Local residents and occupiers have been individually notified of both applications which have also been advertised on site and in the local press. No representations have been received.

CONSULTATIONS

12. A number of statutory persons and bodies have been consulted on the proposal.
13. No objections or comments received from:
 - Development Plans Manager
 - Landscape Officer
 - Regeneration
 - Northern Electric
 - Transco
 - PD Ports
 - Countryside Commission
 - GONE
 - Health and Safety Executive
 - Ward Councillors

Highways Agency

14. The Highways Agency has confirmed that the outstanding highway issues, which has led to this application being held in abeyance for 3 years have now been resolved. An appropriate mitigation scheme for the A19 Portrack Interchange has been identified. It has therefore no objection to the proposed development subject to the introduction of the proposed improvements shown in principle on Faber Maunsell Drawing No 37770/NED/-777-FM1 Revision C. To this end it has directed approval to be conditional so that the development is not occupied until this scheme has been satisfactorily completed.

CPRE

15. Welcomes this development.

Environmental Health Unit

16. Has no objection in principle to the development, but recommends conditions to protect the local residents from noise and to address land contamination.

Tees Archaeology

17. Pre-application discussions were held with the applicant in liaison with Cleveland Industrial Archaeology Society, and it is recommended that a condition be attached for a programme of building recording and analysis because the industrial historic interest of some of the features on the site.

Northumbrian Water

18. Makes comments in respect of the need to protect a water main and sewers in the area. However, the sewerage system to which the development will discharge has reached its design capacity and may not be able to accept the anticipated flows.

Environment Agency

19. Raises no objection to the proposal subject to conditions in respect of finished floor levels, flood related matters, surface water drainage, contaminated land, settlement facility, removal of Japanese Knotweed, conservation of intertidal character and habitats, oil interceptor, roof drainage, bunded storage, foul and contaminated drainage.

Head of Transport and Environmental Policy

20. No objections to the proposals subject to a suitable Transport Assessment being agreed. Traffic through Port Clarence and Billingham (Belasis Avenue) should be minimised. Existing proposals for Portrack Interchange must be respected.
All works affecting existing adopted highway will be carried out under a Section 278 agreement. Final views on the TA are awaited

PLANNING POLICY CONSIDERATIONS

National Planning Policy

21. National Planning policies are set out in Planning Policy Guidance Notes (PPG) and the newer Planning Policy Statements (PPS).
22. Relevant to this application are:

PPS 1 "Delivering Sustainable Development"
PPG 4: Industrial, Commercial Development and Small Firms
PPS 9 "Biodiversity and Geological Conservation"
PPG 13 "Transport"
PPG16 "Archaeology and Planning"
PPG 24 "Planning and Noise"
PPG 25 "Development and Flood Risk"
23. Regard also has to be given to the Regional Planning Guidance (RPG1) and the emerging Regional Spatial Strategy. Policies in RPG1 set out the aims and objectives for the regional economy, the need for a sequential approach

to development; sub-regional guidance to include, inter alia, targets for the re-use of previously developed land and buildings.

24. In addition to the regional guidance, 'The Northern Way' published by the Office of the Deputy Prime Minister and northern Regional Development Agencies provides broad-brush principles for the regeneration of the Northern region.
25. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise. In this case the relevant Development Plans are the Tees Valley Structure Plan (TVSP) and the Stockton on Tees Local Plan (STLP).

Tees Valley Structure Plan

26. The Tees Valley Structure Plan policies that particularly need to be considered include:

- SUS1 new developments must make a positive contribution towards achieving sustainable development.
- SUS2 preference for development to be given to brownfield sites, promoting re-use of vacant land and building, encouraging locations which minimise need to travel, and protecting the environment.
- STRAT1 majority of future development to be located on previously developed sites within in urban area particularly along the Tees Corridor
- EMP2 priority to be given to business and industrial development on brownfield sites meeting certain criteria in respect of access by public transport and good footpath and cycleway links.
- ENV21 encourages the redevelopment of vacant and derelict sites including landscaping and managing planting
- ENV22 derelict and disused land will be reclaimed with priority given to sites that have a major impact. Restoration and after use to have regard to the overall setting and landscape character and creation of new habitats.

27. Other relevant policies include T5, T24, T25, T26 (all relating to transport issues)

Stockton on Tees Local Plan

28. There are a number of policies within the adopted Stockton on Tees Local Plan, which are relevant to the present proposal.
29. Policy EN18 supports the reclamation and redevelopment of derelict land provided the character of the area and amenity of adjacent uses not adversely affect, there are satisfactory access and parking arrangements and existing nature conservation interest of the site is accommodated whenever possible.
30. Policy IN 2 allocates the site for B2 and B8 whilst policy IN3 states the site is suitable for port related industrial uses.
31. Also relevant are policies EN34 and EN35 which deals with development and contaminated land and as half the site falls with the boundary of a HSE

consultation zone, policies EN38 and EN39 also become relevant. EN38 states that development that will attract significant numbers of people will be permitted in the vicinity of a hazardous installation only where there is no significant threat to the safety of the people involved. Similarly policy EN39 only allows the expansion of existing industrial or commercial undertakings in the vicinity of a Hazardous installation if it can be shown that additional people and buildings will not be placed at unacceptable risk because of the proximity of the installation.

32. Policy GP 1 requires proposals for all development to be examined in relation to policies in the structure plan and a number of criteria. The criteria Include:
- The external appearance of the development and its relationship with the surrounding area
 - The effect on the amenities of the occupiers of nearby properties
 - The provision of satisfactory access and parking arrangements.
 - Need for a high standard of landscaping
 - Effect upon wildlife habitats
 - Effect on public rights of way network

MATERIAL PLANNING CONSIDERATIONS

33. In light of the consultation responses, current and emerging planning policy and the planning history of the site, a number of planning issues are considered material to the consideration of this application.

Planning Policy

34. The development proposed in these two applications clearly accords with planning policy established for the area as set out in national, regional and local planning policy documents. Accordingly, in principle the proposals are acceptable.

Highway issues

35. This issue was for a long time unresolved because of the concerns of the Highways Agency about the sensitivity of the traffic situation at Portrack roundabout, arising from proposals for other developments in the area as well as North Shore, which have a material traffic impact on the junction. Following agreement on the need for extensive improvements to that junction, these strategic highway concerns have now been resolved. The development will still require other improvements to the local road network as established at the pre-planning stage. These improvements can be secured by means of a "Grampian" style condition. Subject to the final views of the Head of Integrated Transport and Environmental Policy the development, with the implementation of the necessary off-site highway works, is satisfactory from the highway standpoint.

Impact on neighbours

36. The main concern in respect of neighbours is the likely impact on the amenities of the residents of the Clarences. However, the site is separated from the residential area by an elevated active railway line and Haverton Road and as such views of the site are extremely limited. The most likely impact will be noise. During construction phases these impacts will be

temporary with the hours of work controlled by conditions. Once final end users have been defined further noise conditions can be imposed at the reserved matter stage. In summary the impact on local residents should be relatively limited and will be controllable.

Landscaping and Appearance

37. The site at present is substantially derelict and has a neglected appearance. The development includes substantial planting along the boundaries of the site with a detailed scheme for structural landscaping submitted as part of application 03/2781/EIS. Early implementation will lead to a substantial improvement in the amenities of the area and help encourage new industry to locate to the site. It is a key element to the likely success of the scheme along with improvements to the access arrangements and general cleaning up of the site to remove derelict buildings and structures and rubbish on the site.

Ecology

38. The ecological evaluation of the site that has been carried out has provided no evidence of protected species on the site. Removal of the naturally regenerated vegetation on the site will have an adverse impact on nesting opportunities for birds but mitigation measures have been identified in the EIA the implementation of which will result in a negligible impact. Wildlife will also benefit from the removal of spoil and rubbish from the site together with the establishment of a green corridor along the northern and eastern site boundaries.

Air quality

39. Air quality has been studied as part of the EIA and this has demonstrated that only likely increase in pollution levels in the area will arise from increased traffic flows. However, these are expected to be minimal. There is a possibility of dust from construction activities affecting air quality but precautionary mitigation measures can be imposed to suppress dust emissions. Pollution levels in the area arising from existing industrial activities in the area are expected to drop whether or not the development now proposed is implemented because of new stricter controls imposed by the pollution control authorities.

Industrial Archaeology

40. The redevelopment proposals will only impact on the remains relating to the C20th shipyard activities. Tees Archaeology is pleased the main building on the site will remain but is concerned about the filling in of the smaller slipways. It has asked that the remains be recorded and analysed and the permission conditioned accordingly.

Health and Safety

41. Because half of the site falls within the boundary of a HSE consultation zone consultation with that body has been carried out. It has raised no health and safety concerns with the proposed development and it is considered that persons employed on the site and new buildings to be erected will not be placed at unacceptable risk because of the proximity of the site to a hazardous installation.

Residual matters

42. Residual concerns such as contamination, floor levels, drainage etc can all be controlled through appropriate planning conditions.

CONCLUSIONS

43. The submitted planning applications offer the opportunity to regenerate this key site and provide increased employment opportunities. It will bring a contaminated site back into beneficial use as well as providing important environmental improvements to the area.
44. The proposed uses fully accord with planning policy and issues concerning matters of detail will be dealt with at the reserved matter stage i.e. details of the siting and design of the new buildings, the access arrangements, noise protection and provision of internal landscaping etc. The concerns over highway improvements, and other issues such as contamination, preservation by record of archaeological remains, hours of construction working etc, can be secured through conditions.
45. The application is fully supported as otherwise this key regeneration scheme in Haverton Hill could be severely compromised.

Corporate Director of Development and Neighbourhood Services

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Financial Implications

None

Environmental Implications

As Report

Human Rights Implications

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

Community Safety implications

None

Background Papers

Adopted Tees Valley Structure Plan (February 2004)

Adopted Stockton on Tees Local Plan (June 1997)

Application files 03/2769/EIS & 03/2781/EIS

PPS 1 "Delivering Sustainable Development"

PPG 4: Industrial, Commercial Development and Small Firms

PPS 9 "Biodiversity and Geological Conservation"

PPG 13 "Transport"

PPG16 "Archaeology and Planning"

PPG 24 "Planning and Noise"

PPG 25 "Development and Flood Risk"

Regional Planning Guidance RPG 1

Ward
Ward Councillor

Billingham South
Councillor Mrs J O'Donnell

Councillor M Smith